



"The City With a Heart"

Jim Ruane, Mayor  
Rico E. Medina, Vice Mayor  
Ken Ibarra, Councilmember  
Irene O'Connell, Councilmember  
Michael Salazar, Councilmember

## MINUTES

### SAN BRUNO CITY COUNCIL

### November 9, 2010

7:00 p.m.

**1. CALL TO ORDER: THIS IS TO CERTIFY THAT** the San Bruno City Council met in regular session on November 9, 2010 at the San Bruno Senior Center, 1555 Crystal Springs Rd., San Bruno, CA. The meeting was called to order at 7:00 p.m.

**Mayor Ruane** thanked the **San Bruno Garden Club** for providing the beautiful floral arrangement.

**2. ROLL CALL/PLEDGE OF ALLEGIANCE:** Presiding was Mayor Ruane, Vice Mayor Medina and Council Members O'Connell, Ibarra and Salazar. Recording by Clerk Bonner. **Skyline President Vicky Morrow** led the Pledge of Allegiance.

**3. ANNOUNCEMENTS:** None.

**4. PRESENTATIONS:**

a. **Mayor Ruane** Presented a Certificate of Recognition to Teri Martin, Precious Memories Recognizing Her for 25 Years of Business in San Bruno who thanked the City and invited everyone to come to the Chamber Mixer on Thursday, November 11 from 5:30 to 7:00 p.m.

b. **Vice Mayor Medina** received a Donation for the Glenview Fire Fund from Skyline President Vicky Morrow who recognized the Associated Students, management staff, classified staff and faculty. She presented a check for \$2,017. that was collected during a candlelight vigil on September 23. She talked about the impact and reaction taken by Skyline College.

c. **Councilmember O'Connell** Received Donations from Jefferson Union High School District and the San Mateo High School District's FHA Hero Groups who helped raise funds to help the fire victims. Karen Calonico and Jan Tuttle introduced students who presented checks for \$2,666.66 from Westmoor and \$2,300. from Mills High for the Glenview Fire Fund.

d. **Recreation Services Supervisor Fabella and Children's Services Manager Buxafort** introduced members of the City of San Bruno Youth Activities Committee, called YAC. It is a group of young people who have come together to do various activities throughout the year through the Park and Recreation Department.

**Vice Mayor Medina** asked the age range and who should be contacted? **Yak President Jordan** said the ages are 13 through 18. He said information could be obtained through the Recreation Center.

**Councilmember Ibarra** said he and Councilmember O'Connell attempted to do this fourteen years ago and he was glad to see this committee formed.

**Councilmember O'Connell** said her daughter joined and she really has enjoyed it.

e. Mayor Ruane Presented a Proclamation Recognizing November As National Family Caregivers Month.

**5. REVIEW OF AGENDA:** City Manager asked Item 10.g. be pulled.

**Mayor Ruane** announced Thursday, November 18 at 3:00 would be the ribbon cutting of the Cal Train grade separation.

**6. APPROVAL OF MINUTES:** Regular City Council and San Bruno Redevelopment Agency Meeting of October 26, 2010 and the Special Council Meeting of November 2, 2010, approved as submitted.

**7. CONSENT CALENDAR:**

- a. **Approve:** Payroll of October 24, 2010.
- b. **Approve:** Accounts Payable of October 25 and November 1, 2010.
- c. **Waive:** Second Reading, and Adopt an Ordinance of the City of San Bruno Amending and Restating the Development Plan for Crystal Springs Terrace Apartments.

**M/S Ibarra/Medina** to approve and passed with all ayes.

**8. PUBLIC HEARINGS:** None.

**9. PUBLIC COMMENT ON ITEMS NOT ON AGENDA:**

**John Barrelier, N. San Anselmo** made comments regarding the Fire Department and Safe and Sane Fireworks.

**Jerry Hiller, Vermont Way** presented a photo album of the fire to the City of San Bruno.

**Robert Riechel, 7<sup>th</sup> Ave.**, on behalf of Bellaire residents along 7<sup>th</sup> Ave, thanked City Manager Jackson and those who joined her who came on site to view the 20" pipe Line 101. He said he appreciated the City pushing PG&E to provide the safest delivery of gas to and through San Bruno.

**Isin al-O-tat**, said there are roads, which need fixing along BART, San Anselmo that turns into San Antonio, San Bruno/South San Francisco borderline around the dollar area, on the outskirts of San Bruno by the industrial South San Francisco area. She talked about the limitations on time on the computers at the library.

**10. CONDUCT OF BUSINESS:**

- a. Appoint Citizens to Bicycle & Pedestrian Advisory Committee, Citizens Crime Prevention Committee, Community Preparedness Committee, Culture & Arts Commission, Parks & Recreation Commission and Personnel Board.

**Mayor Ruane** suggested the Citizens Crime Prevention Committee and Personnel Board be held off and asked the City Clerk to reconnect with those people. **Vice Mayor Medina** was in agreement. **Councilmember Ibarra** said he didn't think it made sense to delay any longer. **Councilmember Salazar** said he would appreciate more time.

**Mayor Ruane** and **City Manager Jackson** pointed out Melodie Tobin was interested in staying on Culture and Arts if no one else applied.

**M/S Ibarra/Medina** to reappoint all incumbents including Melodie Tobin to the Culture and Arts Committee.

**M/S Medina/Ibarra** to nominate Michael Palmer to the Parks and Recreation Commission and passed with all ayes.

**M/S Ruane/Medina** to nominate Tim Fuller to the Traffic Safety and Parking Committee and passed with all ayes.

b. Adopt Resolution Authorizing the City Manager to Execute a Contract for with Sunstone Construction, Inc. for the Repair of the Claremont and Glenview Retaining Walls Damaged by the Glenview Fire in the Amount of \$602,700 and Authorize a Construction Budget in the Amount of \$723,000.

**Public Services Director Fabry** gave an overview of the staff report and asked for questions.

**Mayor Ruane** asked when would the shovel be put in the ground? **Fabry** said the Claremont work would start first. **Mayor Ruane** asked if they would be able to work simultaneously? And how long will the process. **Fabry** said 30 days for this wall.

**City Manager Jackson** said they would be given flexibility 24 hours, seven days a week.

**Councilmember Ibarra** asked if there is an idea of the forecast over the next 30 days? Will they work through the rain? **Fabry** said they would work in severe climates.

**Mayor Ruane** asked how close we are to getting all these agreements signed? **Interim City Attorney Rubens** said some response is expected this week and it will be wrapped up very quickly.

**Councilmember Ibarra** introduced the resolution for adoption and passed with a unanimous vote.

c. Adopt Resolution Accepting Donation from San Bruno Pee Wee Baseball for Scoreboard at Diamond #3.

**Community Services Director Schwartz** gave an overview of the staff report and asked for acceptance.

**Vice Mayor Medina** suggested it would be appropriate to have a small plaque acknowledging the contribution of that organization.

**Vice Mayor Medina** introduced the resolution for adoption and passed with a unanimous vote.

d. Adopt Resolution Authorizing the City Manager to Execute Contract with Parsons Brinckerhoff for Construction Management Services for the San Bruno Grade Separation Project in an Amount Not to Exceed \$327,000.

**Public Services Director Fabry** gave an overview of the staff report and asked for questions.

**Councilmember Ibarra** asked if this Project Manager would be available to the public. **Fabry** said they are to quality inspect and communicate with the community. The role is to make sure JPB fulfills their obligation. **City Manager Jackson** said the JPB understands and take all necessary action to our standards with our residents. **Councilmember Ibarra** said how will the residents know that and it was his hope this would be worked out.

**Councilmember Ibarra** saw the announcement sent out by the JPB to the residents and he didn't believe it was enough. We need to make a stronger emphasis to the residents. He suggested an information packet be made available to the residents so they know what to expect.

**Councilmember Salazar** asked what risk we are trying to mitigate? **Fabry** said scheduling conflict, noise mitigation, what is time of day, what type of work will be done, what are the expectations? **Councilmember Salazar** said wouldn't JPB have their own construction manager? **Fabry** said the role of this person is to see that JPB does what they are supposed to do from the City's point of view.

**Councilmember Salazar** asked if consideration was given to hiring another City Engineer? **Fabry** said the engineering division has four full time employees whose resources are strained. She said the expertise is needed for this project.

**Vice Mayor Medina** asked who would be monitoring this firm? **Fabry** said the person would be reporting to her and she would be managing the time.

**Vice Mayor Medina** asked where we benefited having that service for BART? He said it was a lot of money. **Fabry** said she wasn't here during the Bart project, but there have been many stories from the community of how that project impacted the lives of those living near it.

**Vice Mayor Medina** said he understood, to ensure the success of a great grade separation in the heart of our community on San Bruno Avenue because there is not staffing level to monitor to get the community what they desire and deserve. He said there has to be a clear outreach to the citizens and a time line and the hours and a phone number so everyone is on the same page.

**Mayor Ruane** said what was sent out was like a door hanger, he suggested a tri-fold with names, numbers and pictures.

**Councilmember Salazar** did the City have an oversight function for the San Francisco jail. **Mayor Ruane** said it was in San Bruno on San Francisco land, it was different. This is in the heart of our downtown, it will impact everyone.

**Councilmember O'Connell** suggested when this person starts they come to a Council meeting so everyone would know who this person was. **Fabry** said certainly.

**Councilmember O'Connell** introduced the resolution for adoption and passed with a unanimous vote.

e. Adopt Resolution Authorizing Increases in Fines for Parking Violations Defined in the California Vehicle Code and the San Bruno Municipal Code.

**Commander Campi** gave an overview of the staff report increasing fines for parking violations by \$3.00 scheduled to begin December 7, 2010. This is a State imposed fee and brings no additional revenue to San Bruno and asked for adoption.

**Vice Mayor Medina** didn't think the City should bear these costs.

**Vice Mayor Medina** introduced the resolution for adoption and passed with a unanimous vote.

f. Receive Report on Status of the Fleetwood Traffic Calming Project.

**Public Services Director Fabry** gave a powerpoint presentation of the Fleetwood Project schedule. **City Manager Jackson** said the staff report has more extensive detail.

**Councilmember Ibarra** agreed with all the recommendations but questioned the design costs? **Fabry** said up until today it is \$22,000.

g. Adopt Resolution Approving Agreement for Joint Fire Operational and Emergency Medical Services Training and Administrative Services. **(This item was pulled until the next meeting.)**

h. Adopt Resolution Authorizing the City Manager to Execute the Voluntary Employee Beneficiary Association (VEBA) Health Savings Plan and Trust Agreement.

**Administrative Services Director O'Leary** explained a VEBA Health Savings Plan as described in the staff report and asked for questions.

**Councilmember Salazar** asked if Council is still able to implement if only one bargaining unit accepts? **O'Leary** concurred. **Councilmember Salazar** asked if there has to be a certain number of employees? **O'Leary** said \$250 charge per month for the operation of the trust that pays for the third party administrator. In order to cover the minimum, the City Manager has directed our current

flexible spending account have the same third party administrator as this account and that cost will be included in the \$250 minimum.

**Councilmember Salazar** introduced the resolution for adoption and passed with a unanimous vote.

**11. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES:** None.

**12. COMMENTS FROM COUNCIL MEMBERS:**

**Councilmember Ibarra** thanked all those who donated. He told the subcommittee there are other organizations that would like to work them. He said this Sunday; the San Bruno Mother's Club will be having a fundraiser at the park to benefit the Glenview Fire victims.

**13. CLOSED SESSION:**

**Mayor Ruane** said they would be going into closed session with no reportable action.

a. Confer with Legal Counsel Regarding Pending Litigation in FCC Program Access Complaint, Wave Division Holdings, LLC, et al. v. Comcast Corp, et al., File No. CSR-8257-P (Cal. Gov't Code s. 54956.9(a).)

b. Confer with Legal Counsel Regarding State Regional Water Quality Control Board, Citation No. R2-2010-0004 (Cal Gov't Code 54956.9(a).

c. Confer with Legal Counsel Regarding Anticipated Litigation (one case) (Cal Gov't Code Section 54954.5).

**14. ADJOURNMENT:**

**Mayor Ruane** closed this meeting at 8:34 p.m. and reminded everyone Thursday is Veteran's Day. The next Council Meeting will be held on November 16, 2010 at 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road, San Bruno.

Respectfully submitted for approval  
at the regular City Council Meeting of  
November 16, 2010

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Carol Bonner, City Clerk

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Jim Ruane, Mayor